

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Anthony Sloan,
Plaintiff

vs

Case No. 1:01-cv-592-TSH
(Hogan, M. J.)

City of Cincinnati,
Defendant

ORDER

On October 26, 2004, the Court conducted an informal status conference with the counsel for the parties in this case. (Doc. 46). Plaintiff's counsel represented to the Court that he intended to file a motion to dismiss the case without prejudice. Following that conference, this Court issued an Order directing counsel for plaintiff to file any such order within thirty days. (Doc. 48). Plaintiff did not file an order as directed by this Court.

Plaintiff is hereby ORDERED to either file a status report within seven days of the filing date of this Order, indicating that he does not intend to dismiss the action, in which case the Court shall proceed to rule on defendants' summary judgment motion, or file a motion to dismiss as directed in the Court's October 28, 2004 Order. (Doc. 48).

If plaintiff fails to comply with this Order, the Court shall dismiss this action *with prejudice* for failure to comply with this Court's orders and or for lack of prosecution pursuant to Fed. R. Civ. P. 41.



Timothy S. Hogan
United States Magistrate Judge